

NASHUA CITY PLANNING BOARD
STAFF REPORT

TO: Nashua City Planning Board
FROM: Scott McPhie, Planner I
FOR: January 20, 2022
RE: **New Business A21-0292 - Site Plan**

I. Project Statistics:

Owners: Weston Associates Development Co., Inc.
Proposal: Amendment to site plan NR1763 to show a change of use from educational facility to restaurant and retail store
Location: 546 Amherst Street
Total Site Area: 3.15 acres (139,392 sf)
Existing Zoning: GB-General Business & PI-Park Industrial (Nashua Water Supply Protection Overlay District).
Surrounding Uses: Commercial

II. Background Information:

The parcel was used for farming before 1951, a golf driving range, vegetable stand, motorcycle dealership, other retail uses, and most recently a school. The Planning Board approved a mixed retail and restaurant project on December 5, 2019 granting a one year extension on December 3, 2020.

III. Project Description:

The purpose of this application is to show a change of use from educational to a 275-seat restaurant with 3,000 square feet of retail space. The restaurant and retail space will be contained within the existing building and a 3,600 square foot deck will be added to the south side.

Three waivers have been requested: The first is for existing conditions, the second for architectural standards for non-residential buildings and entryways, the third requiring a planted island or median be added after every ten contiguous parking spaces. The property will add a small amount of impervious area to be offset by the removal and conversion of twenty existing parking to pervious pavement. A surface type infiltration basin, two leaching catch basins, and a subsurface infiltration trench will also be installed. A storm water report and traffic report were provided (see enclosed). No new landscaping or lighting is proposed. A letter has been provided that upon approval of the Planning Board and transfer of the property ownership the previously approved site plan NR1103 will be withdrawn.

City staff has reviewed the plans and requests the applicant add an oil water separator, if applicable, to the last catch basin assisting with filtration before runoff enters the conservation zone.

Staff Recommendations and Findings:

The Planning Board should make a determination that the plan meets, or does not meet the requirements outlined in the Site Plan NRO § 190-146(D). The Board should review these prior to making a motion. If the Planning Board chooses to disapprove the plan, specific reasons should be given. If the Planning Board chooses to approve this plan, staff recommends the following stipulation be made part of that approval:

1. The request for a waiver of NRO § 190-279 (EE), which shows existing conditions, particularly offsite utilities, under Article XXXII, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
2. The request for a waiver of NRO § 190-172 (E)(1) for entryways on all street frontage, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
3. The request for a waiver of NRO § 190-184 (D) (1), which requires a grassed median after 10 contiguous parking spaces, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
4. Any new easements will be submitted to Planning staff ahead of the Nashua Planning Board meeting for review by City Staff.
5. Prior to the Chair signing the plan, minor drafting corrections will be made.
6. Prior to the Chair signing the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and five paper copies submitted to the City
7. Prior to the Chair signing the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineering, dated shall be addressed to the satisfaction of the Division of Public Works.
8. Prior to the Chair signing the plan, all comments and requests in an e-mail from Wayne Husband, Senior Traffic Engineer, dated 12/28/2021 shall be addressed to the satisfaction of the Division of Public Works.
9. Prior to the Chair signing the plan, all comments in an e-mail from Mark Rapaglia, Inspector/Investigator dated shall be addressed to the satisfaction of the Fire Marshal's Office.
10. The applicant will work with planning staff to create an attractive exterior utilizing approved materials under 190-172.

11. Prior to any work, a pre-construction meeting shall be held and a financial guarantee shall be approved.
12. Prior to the issuance of the Certificate of Occupancy, an as-built plan locating all driveways, utilities, and landscaping shall be completed by a professional New Hampshire licensed engineer or surveyor and submitted to Planning and Engineering Departments. The as-built plan shall include a certification by a NH licensed professional engineer that all construction was generally completed in accordance with the approved site plan and applicable regulations.
13. Prior to the issuance of the Certificate of Occupancy, all on-site improvements shall be substantially completed, provided that paving may be completed to base course and landscaping may be completed as seasonally permitted; and further provided that a financial guarantee will be required for any work remaining.